

1  
2  
3 IN THE UNITED STATES DISTRICT COURT  
4  
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
6

7 In re

No. C 17-3766 WHA (PR)

8 RICHARD SAMPLES, JR.,

**ORDER OF DISMISSAL**

9  
10 Plaintiff.

(Dkt No. 5)

11  
12  
13 This civil action was opened on June 30, 2017, based upon a letter received from plaintiff  
14 stating he wished to petition the court for a writ of habeas corpus. The clerk mailed him a form  
15 habeas petition and informed him he would need to fill it out and pay the filing fee or complete  
16 an application to proceed in forma pauperis if he wished to proceed with a federal habeas action.  
17 On August 2, 2017, the case was reassigned to the undersigned district judge, and the next day  
18 the notice of reassignment was returned by the postal service as undeliverable because plaintiff  
19 was not located at the address he provided. Plaintiff has not notified the clerk of his current  
20 address. Pursuant to Local Rule 3-11(b) — requiring parties to keep the court informed of their  
21 current mailing address and stating that the failure to do so within sixty days of the return of mail  
22 as undeliverable will result in dismissal of their case without prejudice — this case is **DISMISSED**  
23 without prejudice. *See also* Fed. R. Civ. P. 41(b).

24 The Clerk shall enter judgment and close the file.

25 IT IS SO ORDERED.

26 Dated: October 12, 2017.

27 

28 WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE